

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

HEATH GORDON DEMERCHANT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:23-cv-00263-JAW
	)	
MAINE STATE PRISON	)	
	)	
Defendant.	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objection having been filed to the Magistrate Judge's Recommended Decision filed August 24, 2023 (ECF No. 7), the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Plaintiff Heath Gordon DeMerchant's Complaint (ECF No. 1) is DISMISSED without prejudice for failure: (1) to comply with the Court's order directing him to pay the filing fee or to file a completed application to proceed without prepayment of fees and costs, (2) to show cause in accordance with the Magistrate Judge's Order to Show Cause (ECF No. 5), and (3) to otherwise prosecute his Complaint.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 4th day of October, 2023